

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARIE BAPTISTE,
MITCHELL MATORIN, and
JONATHAN DAPONTE,
Plaintiffs,

v.

MIKE KENNEALY, in his
official capacity as
Secretary of the Executive
Office of Housing and
Economic Development, and
CHARLES BAKER, in his
official capacity as Governor
of the Commonwealth of
Massachusetts,
Defendants.

C.A. No. 1:20-cv-11335-MLW

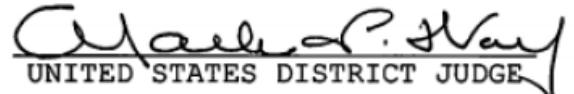
ORDER

WOLF, D.J.

September 2, 2020

It is hereby ORDERED that the parties shall be prepared to address at the September 2, 2020 hearing the implications for plaintiffs' Compelled Speech claim (Count III) of the discussions of severability in K-Mart Corp. v. Cartier, Inc., 486 U.S. 281, 294 (1988), and Carlson v. Postal Regulatory Commission, 938 F.3d 337, 351-52 (D.C. Cir. 2019), and of the Agency Order of the Centers for Disease Control and Prevention and the Department of Health and Human Services, "Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19," 85 Fed. Reg. -- , Fed. Reg. Doc. No. 2020-19654 (forthcoming Sept.

4, 2020), <http://federalregister.gov/d/2020-19654> (Dkt. No. 110-1).


UNITED STATES DISTRICT JUDGE